

**COPY**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: William McFarland, et al.

Serial No: 09/474,602 : Group Art Unit #2665

Filed : 29 December 1999 : Examiner:

Title : SCALABLE COMMUNICATION SYSTEM USING : M. U. Phan  
OVERLAID SIGNALS AND MULTI-CARRIER  
FREQUENCY COMMUNICATIONREVOCATION OF POWER OF ATTORNEY AND  
APPOINTMENT OF POWER OF ATTORNEY

The owner of the above-identified U.S. Patent Application, hereby revokes all Powers of Attorney previously given and hereby appoints the following Attorneys to transact all business in the U.S. Patent and Trademark Office connected therewith:

Morton J. Rosenberg, Esq., Reg. #26,049  
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Jun Y. Lee, Esq., Reg. #40,262

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Respectfully submitted,  
For: Atheros Communications, Inc.



Date

Adam H. Tachner  
Intellectual Property Counsel

RULE 63 (37 C.F.R. 1.63)  
 DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION  
 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **Scalable Communication System using Overlaid Signals and Multi-Carrier Frequency Communication**, the specification of which was filed in the U.S. Patent Office on December 29, 1999 under Serial No. 09/474,602

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S): <u>Number</u>	<u>Country</u>	<u>Day/MONTH/Year Filed</u>	<u>Date first Laid-open or Published</u>	<u>Date Patented or Granted:</u>	<u>Priority Claimed</u>
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Yes  No

I hereby claim domestic priority benefit under 35 U.S.C. 119/120/365 of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S): <u>Application No.:</u>	<u>Day/MONTH/Year Filed:</u>	<u>Status</u> (pending, abandoned, patented)	<u>Priority Claimed?</u>
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Yes  No

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Madison & Sutro LLP, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (650) 233-4790 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee who first sent this case to them and by whom I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or a below attorney in writing to the contrary.

Paul N. Kokulis	16773	Peter W. Gowdey	25872	David A. Jakopin	32995	Roger R. Wise	31204
Raymond F. Lippitt	17519	Dale S. Lazar	28872	Mark G. Paulson	30793	Jay M. Finkelstein	21082
G. Lloyd Knight	17698	Glenn J. Perry	28458	Timothy J. Klima	34852	Anita M. Kirkpatrick	32617
Carl G. Love	18781	Kendrew H. Colton	30368	Stephen C. Glazier	31361	Michael R. Dzwonczyk	36787
Kevin E. Joyce	20508	Paul E. White, Jr.	32011	Paul F. McQuade	31542	W. Patrick Bengtsson	32456
George M. Sirilla	18221	G. Paul Edgell	24238	Ruth N. Morduch	31044	Jack S. Barufka	37087
Donald J. Bird	25323	Lynn E. Eccleston	35861	Richard H. Zaitlen	27248	Adam R. Hess	41835

1. INVENTOR'S SIGNATURE: William J. McFarland

Date 2/23/00  
 Country of Citizenship: United States of America

Inventor's Name: William McFarland  
 Residence (City, State): Los Altos, California  
 Post Office Address: 451 Valencia Drive  
 Los Altos, CA 94022

2. INVENTOR'S SIGNATURE: Teresa H. Meng

Date 2/23/00  
 Country of Citizenship: United States of America

Inventor's Name: Teresa H. Meng  
 Residence (City, State): Portola Valley, California  
 Post Office Address: 119 Campo Drive  
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Inventors: William McFarland et al.  
App. No.: 09/474,602  
Filed: December 29, 1999

Atty Dkt. 73169/0261838  
Client Ref: TS-020

Title: Scalable Communication System Using Overlaid Signals  
And Multi-Carrier Frequency Communication

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VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(d) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am an official empowered to act on behalf of the small business concern identified below:

NAME OF CONCERN: T-Span Systems Corporation  
ADDRESS OF CONCERN 3145 Porter Drive, Palo Alto, CA 94304

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled as above and invented by McFarland, et al., described in the above-cited specification.

If the rights held by the above identified small business concern are not exclusive, each small entity individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify under 37 CFR 1.9(c) as an independent inventor if that person had made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*Note: Separate verified statements are required from each person, concern or organization having rights to the invention, averring to small entity status (37 CFR 1.27).

FULL NAME of \_\_\_\_\_

INDIVIDUAL     SMALL BUSINESS CONCERN     NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

CORPORATE OFFICER: Teresa H. Meng  
TITLE: Chief Executive Officer  
ADDRESS: 3145 Porter Drive  
Palo Alto, CA 94304

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SIGNATURE Teresa H. Meng

DATE 2/24/00